

## H. THE SITUATION IN TIMOR<sup>60</sup>

### Decisions

At its 1908th meeting, on 12 April 1976, the Council decided to invite the representatives of Australia, Indonesia, the Philippines and Portugal to participate, without vote, in the discussion of the item entitled "The situation in Timor: report of the Secretary-General in pursuance of Security Council resolution 384 (1975) (S/12011)".<sup>61</sup>

At the same meeting, the Council also decided, at the request of the representative of Indonesia,<sup>62</sup> to extend invitations to Mr. Guilherme Maria Gonçalves, Mr. Mario Carrascalão, Mr. José Gonçalves and Mr. João Pedro Soares under rule 39 of the provisional rules of procedure.

At the same meeting, the Council also decided, at the request of the representative of Guinea-Bissau,<sup>63</sup> to extend an invitation to Mr. José Ramos Horta under rule 39 of the provisional rules of procedure.

At the same meeting, the Council further decided, at the request of the representative of Mozambique,<sup>64</sup> to extend an invitation to Mr. Ken Fry under rule 39 of the provisional rules of procedure.

At its 1909th meeting, on 14 April 1976, the Council decided, at the request of the representative of Indonesia,<sup>65</sup> to extend an invitation to Mr. Rex K. M. Syddell under rule 39 of the provisional rules of procedure.

At its 1910th meeting, on 15 April 1976, the Council decided to invite the representatives of Guinea-Bissau and Saudi Arabia to participate, without vote, in the discussion of the question.

At its 1911th meeting, on 20 April 1976, the Council decided to invite the representative of Malaysia to participate, without vote, in the discussion of the question.

At its 1912th meeting, on 20 April 1976, the Council decided to invite the representatives of Guinea and Mozambique to participate, without vote, in the discussion of the question.

### Resolution 389 (1976)

of 22 April 1976

*The Security Council,*

*Recalling* its resolution 384 (1975) of 22 December 1975,

*Having considered* the report of the Secretary-General of 12 March 1976,<sup>66</sup>

*Having heard* the statements of the representatives of Portugal and Indonesia,

*Having heard* the statements of representatives of the people of East Timor,

*Reaffirming* the inalienable right of the people of East Timor to self-determination and independence in accordance with the principles of the Charter of the United Nations and the Declaration on the Granting of Independence to Colonial Countries and Peoples, contained in General Assembly resolution 1514 (XV) of 14 December 1960,

*Believing* that all efforts should be made to create conditions that will enable the people of East Timor to exercise freely their right to self-determination,

*Noting* that the question of East Timor is before the General Assembly,

*Conscious* of the urgent need to bring to an end the continued situation of tension in East Timor,

*Taking note* of the statement by the representative of Indonesia,<sup>67</sup>

1. *Calls upon* all States to respect the territorial integrity of East Timor, as well as the inalienable right of its people to self-determination in accordance with General Assembly resolution 1514 (XV);

2. *Calls upon* the Government of Indonesia to withdraw without further delay all its forces from the Territory;

3. *Requests* the Secretary-General to have his Special Representative continue the assignment entrusted to him under paragraph 5 of Security Council resolution 384 (1975) and pursue consultations with the parties concerned;

4. *Further requests* the Secretary-General to follow the implementation of the present resolution and submit a report to the Security Council as soon as possible;

5. *Calls upon* all States and other parties concerned to co-operate fully with the United Nations to achieve a peaceful solution to the existing situation and to facilitate the decolonization of the Territory;

<sup>60</sup> Resolutions or decisions on this question were also adopted by the Council in 1975.

<sup>61</sup> See *Official Records of the Security Council, Thirty-first Year, Supplement for January, February and March 1976*.

<sup>62</sup> *Ibid.*, Supplement for April, May and June 1976, document S/12043.

<sup>63</sup> *Ibid.*, document S/12045.

<sup>64</sup> *Ibid.*, document S/12047.

<sup>65</sup> *Ibid.*, document S/12049.

<sup>66</sup> *Ibid.*, Supplement for January, February and March 1976, document S/12011.

<sup>67</sup> *Ibid.*, Thirty-first Year, 1909th meeting.

6. *Decides* to remain seized of the situation.

*Adopted at the 1914th meeting by 12 votes to none, with 2 abstentions (Japan, United States of America).<sup>68</sup>*

#### Decision

On 21 June 1976, the President issued a note<sup>69</sup> in which he referred to a letter and note verbale dated 10 June from the Permanent Representative of Indonesia to the United

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<sup>68</sup> One member (Benin) did not participate in the voting.

<sup>69</sup> *Official Records of the Security Council, Thirty-first Year, Supplement for April, May and June 1976*, document S/12104.

Nations, extending an invitation through the President to the Security Council to visit East Timor commencing on 24 June. Following consultations with the members of the Council, the President addressed the following reply to the Permanent Representative of Indonesia on 21 June:

"I have the honour to acknowledge your letter and your note verbale of 10 June 1976 extending an invitation from the Government of Indonesia to the Security Council to visit East Timor from 24 June 1976.

"As you are aware, the Security Council, which considered the situation in East Timor in December 1975 and again in April 1976, adopted resolutions 384 (1975) and 389 (1976) on the subject.

"Having regard to the decisions which it has taken on the situation in East Timor, the Security Council has concluded that it is unable to accept the invitation of the Government of Indonesia."